

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GOVERNMENT OF THE UNITED STATES VIRGIN  
ISLANDS,

Plaintiff,

-v-

JPMORGAN CHASE BANK, N.A.,

Defendant/Third-Party Plaintiff,

-v-

JAMES EDWARD STALEY,

Third-Party Defendant.

22-cv-10904 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On April 12, 2023, plaintiff the Government of the United States Virgin Islands ("USVI") filed its Second Amended Complaint in the above-captioned case. See ECF No. 119; see also ECF No. 118 (granting leave to file the Second Amended Complaint). The Second Amended Complaint added a claim that defendant JPMorgan Chase Bank, N.A. ("JP Morgan") is liable for obstructing the enforcement of the Trafficking Victims Protection Act ("TVPA"), in violation of 18 U.S.C. § 1591(d). On April 24, 2023, JP Morgan moved to dismiss the Second Amended Complaint. See ECF No. 123. The Court hereby grants JP Morgan's motion in part and denies that motion in part.

As JP Morgan notes in its moving papers, the Second Amended Complaint asserts claims that the Court had previously dismissed when

they were asserted in the USVI's First Amended Complaint. Specifically, Counts II and III of the Second Amended Complaint assert claims under the Virgin Islands Criminally Influenced and Corrupt Organizations Act, and Count IV asserts a claim under the Virgin Islands Consumer Fraud and Deceptive Business Practices Act, which are unmodified from the USVI's First Amended Complaint. The Court hereby dismisses Counts II-IV of the Second Amended Complaint for the reasons articulated in its Opinion and Order on JP Morgan's motion to dismiss the First Amended Complaint. See ECF No. 130, 43-45.

JP Morgan also moves to dismiss the Second Amended Complaint's TVPA claims. As JP Morgan recognizes in its moving papers, the Court had previously considered and rejected its arguments in favor of dismissing those claims. See ECF No. 123 ("JPMC recognizes that the Court has previously considered and rejected these arguments in connection with JPMC's previous motions, and submits this motion only to preserve these arguments for appeal."). Thus, the Court hereby denies JP Morgan's motion to dismiss Counts I and V of the Second Amended Complaint.

SO ORDERED.

New York, NY  
May 8, 2023

  
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JED S. RAKOFF, U.S.D.J.